



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

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| APPLICATION NO.: | ASJ-MVK-2004-297 |
| EVALUATOR: | Ms. A. Susan Jarvis |
| PHONE NO.: | (601) 631-5146 |
| FAX NO.: | (601) 631-5459 |
| E-MAIL: | regulatory@mvk02.usace.army.mil |
| DATE: | February 11, 2005 |
| EXPIRATION DATE: | March 4, 2005 |

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, Louisiana 70821-4313.

The Louisiana Department of Environmental Quality has a copy of the application on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Louisiana Department of
Transportation and Development
Post Office Box 94245
Baton Rouge, Louisiana 70804

Name of Agent:
Mr. Jeff Robinson, P.E.
Louisiana TIMED Managers,
Incorporated
Suite 200
6300 Corporate Boulevard
Baton Rouge, Louisiana 70809

Location of Work: Sections 13, 39, 49, 50, and 57 of T17N-R3E, latitude 32°19'40" longitude 92°7'0", within the Bayou Beouf drainage basins, Ouachita Parish, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to mechanically clear and fill 0.53 acre of wetlands associated with the construction and maintenance of the widening and overlay of U.S. Highway 165 from Louisiana Highway 841 to Bayou Mouchoir de L'Ourse, near Rilla, Ouachita Parish, Louisiana.

The project would begin on U.S. Highway 165 approximately 0.7 mile south of the intersection with Louisiana Highway 841 and would extend in a northerly direction ending approximately 0.2 mile south of Bayou Mouchoir de L'Ourse near Rilla, Louisiana. Two new lanes of asphaltic concrete roadway would be constructed to the west of the existing highway for the southbound traffic, separated by a 60-foot-wide depressed median. The alignment of the U.S. Highway 165 with U.S. Highway 165-Business would be improved through construction of a new U.S. Highway 165 overpass, improved access from southbound U.S. Highway 165-Business to U.S. Highway 165, and improvements to the U.S. Highway 165 intersection with a service road located north of the bypass.

Roadbed dimensions for the newly constructed two-lane roadway would have an average top width of 40 feet and an average bottom width of 85 feet. The average right-of-way would be 230 feet. This project would require approximately 42,000 cubic yards of general excavation and 160,000 cubic yards of general embankment. The total project length would be 7.1 miles.

The purpose of the work is to widen and upgrade the existing U.S. Highway 165 roadway, to provide a four-lane northeast-southwest link between I-20 at Monroe, Louisiana and I-10 at Lake Charles, Louisiana to improve vehicular mobility and to improve accessibility along the U.S. Highway 165 corridor by increasing the safety and level of service of the highway.

The proposed project calls for the existing U.S. Highway 165 from 0.7 mile south of the intersection with Louisiana 841 to 0.2 mile south of Bayou Mouchoir de L'Ourse adjacent to Rilla in Ouachita Parish to be four-laned and upgraded to meet current transportation standards. This proposed project is the result of legislation created in 1989, known as the Transportation Infrastructure Model for Economic Development (TIMED), which designated certain highways and transportation facilities for improvement. One objective of the TIMED program is to ensure that a four-laned highway connects most major urban areas of the state. The four-laning of U.S. Highway 165 is an important element in linking central Louisiana with areas of north Louisiana to the Arkansas state line.

One site was delineated and identified as wetlands that would be impacted by the project. The site is located in the vicinity of Station NO. (STA.) 601+00, and would impact approximately 0.53 acre of herbaceous wetlands.

The dominant species of vegetation at the delineated wetland site include: *Alisma subcordatum*, *Geranium carolinianum*, *Juncus effusus*, *Panicum repens*, *Paspalum notatum*, *Triodanis perfoliata*, and *Verbena hastata*.

Approximately 0.53 acre of jurisdictional wetlands would be impacted by the construction of the captioned project, including the cleared right-of-way. The applicant proposes to begin mitigation for the wetlands being impacted by construction activities for this project by minimizing impacts in accordance with their standard specifications. Unavoidably lost wetland functions and values would be appropriately mitigated.

No bridges would be constructed in this project.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: A cultural resource survey was conducted in the proposed project area in Ouachita Parish. A number of sites were located and determined by the Louisiana State Historic Preservation Officer (SHPO) to be ineligible for listing on the National Register of Historic Places (NRHP). One site, containing both American Indian and Euro-American components, was determined to be eligible for inclusion on the NRHP. A Memorandum of Agreement (MOA) is being prepared for Phase III data recovery in order to mitigate for any project-induced impacts.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

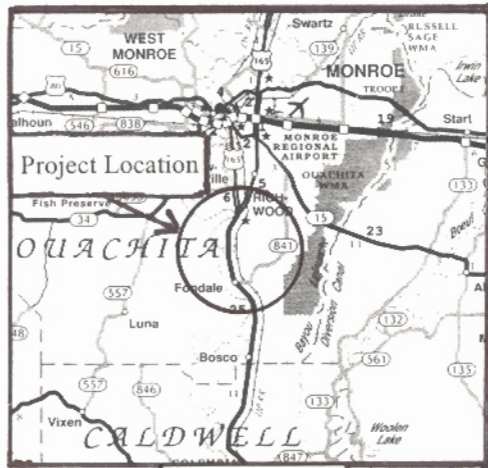
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

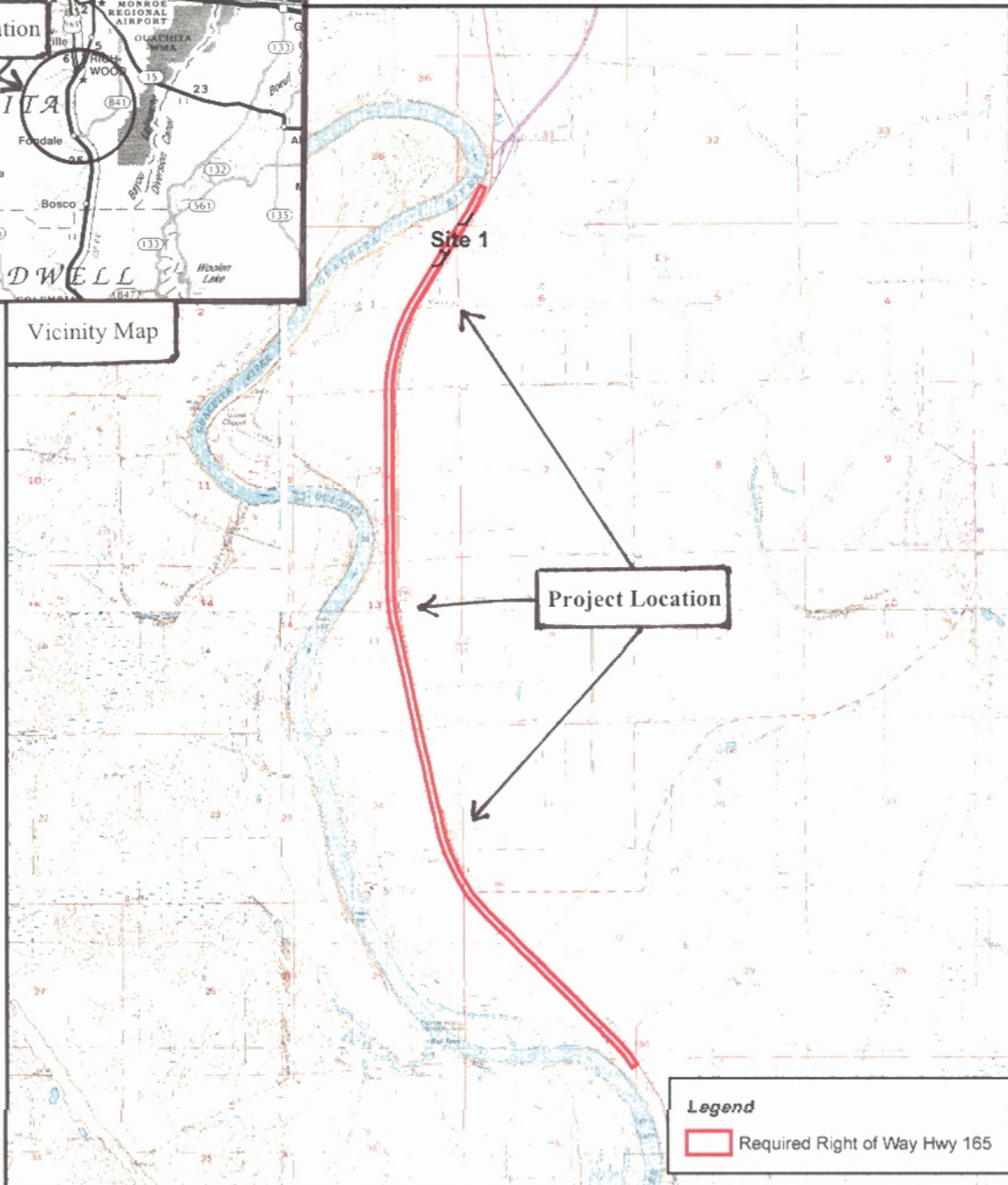
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

S.P. 015-08-0026 US HWY 165
LA 841 TO RILLA



Vicinity Map



Legend

 Required Right of Way Hwy 165

PROJECT LOCATION MAP

State Project No. 015-08-0026
U.S. Highway 165, Ouachita Parish, Louisiana

USGS 7.5' Series Quadrangles



Figure: 01

Date: January 2005

Scale: 1:50,000

Source: GEC/USGS

CEMVK-OD-FE ASJ-MVK-2004-297

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT